

STATE OF NEW HAMPSHIRE

BALLOT LAW COMMISSION

IN RE:
Green Party Candidate Guy Chichester

This matter comes before the New Hampshire Ballot Law Commission on the written complaint of Attorney Patrick W. Fleming in behalf of Green Party Candidate Guy Chichester. The Green Party attempted to have Mr. Chichester's name placed on the November ballot as a candidate for a Governor by the collection of nomination papers pursuant to RSA 655:40-55. Chichester's representative claimed to have presented something slightly in excess of 1,600 signatures in the First Congressional District and something in excess of 1,800 signatures in the Second Congressional District. However, the supervisors of the checklists in the various towns and wards refused to certify 571 of the submitted signatures in the First District and 411 in the Second. The Complaint revolved around the fact that there was no time afforded and no procedures set forth for challenging those failures to certify.

When the documents were filed with the Secretary of State, he declined to place Mr. Chichester's name on the ballot by reason of the absence of the requisite number of certified nomination papers. This Commission finds and rules that the Secretary of State acted properly.

Complainant asserted error by the various supervisors of the checklists in their failure to certify, but came to this hearing unprepared with any evidence to support this claim. Accordingly, the Complaint is dismissed.

In rendering this decision, the Commission does not intend to explicitly or implicitly suggest that it would be prepared on some other occasion to receive evidence of specific complaints of error in the failure to certify where the contested certifications could run into scores or hundreds of names. If Complainant feels that he, or others in his position, lack a remedy, a legislative solution should be sought.

SO ORDERED.

BALLOT LAW COMMISSION



Dort S. Bigg, Chairman



Robert D. Calamari, Commissioner



James D. O'Neill, Commissioner

DATED: October 17, 1990